

3. (Twice Amended) A microscope slide stainer comprising:
- a slide housing into which at least one microscope slide is inserted, said housing having a cavity into which liquids are dispensed, the cavity containing a sufficient volume of liquid to cover the at least one microscope slide;
  - a liquid dispenser, said dispenser being capable of movement under microprocessor control so as to align the dispenser with a slide; and
  - a liquid aspirator, said aspirator being capable of removing liquid from the cavity.
11. (Twice Amended) A method of staining slides comprising:
- inserting a slide into a slide housing, said housing having a cavity into which liquids can be dispensed, the cavity containing a sufficient volume of liquid to cover the at least one microscope slide;
  - moving the slide housing under microprocessor control into alignment with a liquid dispenser;
  - dispensing liquid into the cavity of said housing, said liquid also contacting said slide; and
  - aspirating liquid from the cavity of said housing.

*Amendments to the claims are indicated in the attached "Marked Up Version of Amendments" (page i).*

#### REMARKS

Claims 3-10 were rejected under the doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. patent 6,096,271. Applicant does not acquiesce to that rejection, but in order to expedite issuance of this application, a terminal disclaimer with respect to patent 6,096,271 is attached.

Claims 3-16 were rejected under 35 U.S.C. 112 as being indefinite. It is believed that the above amended claims, which incorporate the Examiner's suggestion toward amendment, should overcome that rejection. If the Examiner disagrees, a telephone call to the undersigned to determine appropriate language would be appreciated.